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Patent  
Attorney Docket No. 034105-002

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

David C. Halliday et al.

Application No.: 09/965,623

Filing Date: September 26, 2001

Group Art Unit: 3621

Examiner: CRISTINA O SHERR

Confirmation No.: 2492

Title: METHOD AND APPARATUS FOR THE ACCURATE METERING OF SOFTWARE APPLICATION  
USAGE AND THE REPORTING OF SUCH USAGE TO A REMOTE SITE ON A PUBLIC NETWORK

FIRST  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

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GROUP 3621

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Enclosed is a FIRST Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- No additional fee for submission of an IDS is required.
- The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- A check in the amount of \$ 180.00 is enclosed for the fee due.
- Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By

Claude A.S. Hamrick

Registration No. 22,586

Date: July 12, 2004

07/16/2004 HLE333 00000038-09965623

01-FE-1806

180.00-0P

**BURNS DOANE**

BURNS, DOANE, SWECKER & MATHIS LLP  
INTELLECTUAL PROPERTY LAW

FIRST  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

(4/04)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

David C. Halliday et al.

Application No.: 09/965,623

Filed: September 26, 2001

For: METHOD AND APPARATUS FOR THE  
ACCURATE METERING OF  
SOFTWARE APPLICATION USAGE  
AND THE REPORTING OF SUCH  
USAGE TO A REMOTE SITE ON A  
PUBLIC NETWORK

Group Art Unit: 3621

Examiner: CRISTINA O SHERR

Confirmation No.: 2492



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JUL 20 2004  
**GROUP 3600**

**FIRST INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required according to the July 11, 2003 waiver of the requirement for copies of cited U.S. patents and U.S. patent application publications in national patent applications filed after June 30, 2003 and international applications entering the national stage under 35 U.S.C. § 371 after June 30, 2003.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

I, the undersigned, hereby state that no item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable

**FIRST** Information Disclosure Statement

Application No. 09/965,623

Attorney's Docket No. 034105-002

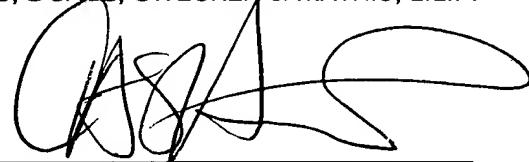
Page 2

inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.

To assist the Examiner, the document is / documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.



By:

Claude A.S. Hamrick  
Registration No. 22,586

Date July 12, 2004

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**FIRST  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Sheet 1 of 1

**Complete if Known**

<b>Application Number</b>	09/965,623
<b>Filing Date</b>	September 26, 2001
<b>First Named Inventor</b>	David C. Halliday et al.
<b>Examiner Name</b>	CRISTINA O SHERR
<b>Attorney Docket Number</b>	034105-002

WL 95 2004

## U.S. PATENT DOCUMENTS

Examiner Initials TRADEMARK OFFICE	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
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	5,790,664		Coley, et al.	08-04-1998
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	5,935,243		Hasebe, et al.	08-10-1999
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## FOREIGN PATENT DOCUMENTS

## NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.